

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

	Application Number	10/620,904	
	Filing Date	07/16/2003	
	First Named Inventor	Tallal, Joseph	
	Art Unit	3626	
	Examiner Name		
Total Number of Pages in This Submission	21	Attorney Docket Number	GM2:1003

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Two (2) Non-Patent References and postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Chalker Flores, LLP		
Signature			
Printed name	Edwin S. Flores		
Date	May 16, 2005	Reg. No.	38,453

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	
Typed or printed name	Edwin S. Flores
Date	May 19, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.	:	10/620,904	Confirmation No. 8957
Applicant	:	Joseph Tallal	
Filed	:	July 16, 2004	
TC/A.U.	:	3626	
Examiner	:		
Docket No.	:	GM2:1003	
Customer No.	:	34,725	

### CERTIFICATE OF MAILING

Date of Deposit: May 19, 2005

I hereby certify that the papers listed below and attached hereto are being deposited with the United States Postal Service via First Class Mail, with sufficient postage, under 37 C.F.R. § 1.8 on the date indicated above and addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Signature

Edwin Flores  
Printed Name

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

As listed on the accompanying form PTO-1449, submitted herewith are copies of the indicated references which Applicant believes may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

**IDENTIFICATION OF TIME OF FILING THE  
INFORMATION DISCLOSURE STATEMENT**

- This Information Disclosure Statement is being filed within three months of the filing date of the national application.
- This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in §1.491 in an international application.
- This Information Disclosure Statement is being filed before the mailing date of the First Office Action on the merits.
- This Information Disclosure Statement is being filed after three months of the filing date of the national application or after three months of the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under, § 1.113 or a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application.

Accompanying this transmittal is:

- a statement specified in 37 CFR, § 1.97(e); or
- a fee set forth in 37 CFR § 1.17(p)

- This Information Disclosure Statement is being filed after the mailing date of a final action under, § 1.113, or a notice of allowance under § 1.311 but before the payment of the issue fee.

Accompanying this transmittal is:

1. a statement as specified in 37 CFR § 1.97(e); and
2. a fee set forth in 37 CFR § 1.17(p)

**FEE PAYMENT**

Attached is a check in the amount of \$ \_\_\_\_\_

Charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.

Applicants believe no additional fees are due for the filing of this IDS.

Respectfully submitted,

CHALKER FLORES, LLP

  
\_\_\_\_\_  
Edwin S. Flores  
Registration No. 38,453  
Attorneys for Applicant

Dated: May 19, 2005

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**Substitute for form 1449A/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet

1

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Attorney Docket Number GM2:1003

**Complete if Known**

Application Number	10/620,904
Filing Date	7/16/2003
First Named Inventor	Tallal, Jr.
Art Unit	3626
Examiner Name	

Sheet

1

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## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner /Kristine Rapillo/  
Signature

Date Considered

04/28/2008

This collection of information is required by 37 CFR, 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (or by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR, 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	10/620,904
				Filing Date	7/16/2003
				First Named Inventor	Tallal, Jr.
				Art Unit	3626
				Examiner Name	
(Use as many sheets as necessary)					
Sheet	2	of	2	Attorney Docket Number	GM2:1003

## NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/K.R./		Website information: <a href="http://www.ameriplanusa.com">www.ameriplanusa.com</a> and associated web pages. (11 pages)	
/K.R./		Website information: <a href="http://www.ameriplanhealth.com">www.ameriplanhealth.com</a> and associated web pages. (2 pages)	

Examiner Signature	/Kristine Rapillo/	Date Considered	04/28/2008
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete the form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*